

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED  
DEVELOPMENT) ORDER 1995**

**DIRECTION UNDER ARTICLE 4(2) TO WHICH ARTICLE 5(4) APPLIES**

Whereas Ashfield District Council being the appropriate Local Planning Authority within the meaning of Article 4 (6) of the Town and Country Planning (General Permitted Development) Order 1995, is satisfied that it is expedient that development of the description set out in the Schedule below should not be carried out within the boundary of Kirkby Cross Conservation Area, which is shown on the attached plan, unless permission is granted on an application made under Part III of the Town and Country Planning Act 1990.

AND WHEREAS the Council considers that development of the said description would be prejudicial to the proper planning of their area and that the provisions of paragraph 4 of Article 5 of the Town and Country Planning (General Permitted Development) Order 1995 apply.

NOW THEREFORE the said Council in pursuance of the power conferred on them by Article 4 (2) of the Town and Country Planning (General Permitted Development) Order 1995 hereby direct that the permission granted by Article 3 of the said Order shall not apply to development on the said land of the description set out in the Schedule below.

**SCHEDULE**

The Article 4 (2) Direction removes the 'permitted development rights' of Part 2 Class A and C (Minor Operations) and Part 31 Class B (Demolition of Buildings) from Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995 as amended. The main impact of this is that the stone walls within Kirkby Cross Conservation Area cannot be demolished/removed without the Authority's approval.

## **ARTICLE 4 (2) DIRECTION – STONE WALLS WITHIN KIRKBY CROSS CONSERVATION AREA**

### STATEMENT OF THE DISTRICT COUNCIL'S REASONS FOR MAKING THE ARTICLE 4 DIRECTION

#### Description of site

Kirkby Cross was designated a conservation area by Nottinghamshire County Council in 1975. It is an historical section of Kirkby-In-Ashfield that still shows traces of the agricultural settlement that Kirkby Cross once used to be. Despite the gradual, but total loss of agricultural activity in farms, stables and barns, several farm buildings and stone walls have been carefully conserved however, and contribute to the character of the area.

#### Grounds on which the Direction is needed

The Conservation Area Appraisal considered that there is one key feature found to be particularly significant and extensive throughout Kirkby Cross and not protected through other policy controls, this is the presence of numerous stone walls. These have been described in the appraisal as being an integral component of the Conservation Area's character. The stone walls are prominent due to being located immediately at the roadside, notably on approach to Kirkby Cross up Church Hill and the heights of the walls form an imposing streetscape. Therefore the Local Planning Authority consider that the loss of the stone walls would be detrimental to the character of Kirkby Cross Conservation Area.